

Coconino County Public Health Services District - Environmental Services

Policy NO.: ES-2013-EH-01

Effective Date: May 7, 2013

Policy Name: Licensing time frames for Environmental Health regulations requiring licenses.

Purpose: To establish licensing time frames for Environmental Health regulations requiring licensure that do not currently contain time frames pursuant to A.R.S. § 11-1605 *et seq.*

Background: Arizona Revised Statutes §§ 11-1605(A) and 11-1605(B) refer to any new or existing County regulation(s) requiring a license, and that a County shall have license time frames in said regulation(s) on or before December 31, 2012. The overall time frame for each license shall state separately the administrative completeness review time and the substantive review time frame. To date, the following Chapters of the Environmental Health Code that require licensure do not contain license time frames as required by this statute:

- Chapter 7 – Campgrounds;
- Chapter 10 – Transient Dwelling Establishments;
- Chapter 13 – School Sanitation; and
- Chapter 17 – Trailer Coach Parks;

Policy:

I. Purpose and Authority

The following administrative and substantive time frames shall be used for the above listed chapters that require licensure:

II. Time - Frames

- A. This section applies to the District which has been delegated by the Department to comply with ARS 41-1074 through 41-1076.
- B. The regulatory authority approval time-frames described in ARS 41-1072 are set forth in Table 1. The applicant or license holder and the regulatory authority may agree in writing to extend the substantive review and the overall time-frame but an extension may not exceed 25% of the overall time-frame.
- C. The administrative completeness review time-frame begins on the date that the regulatory authority receives a complete application or request for approval.

1. The regulatory authority shall mail or send an electronic notice of administrative completeness or deficiencies to the applicant or license holder within the time-frame.
 - a. A notice of deficiencies shall list each deficiency and the information and documentation needed to complete the application or request for approval.
 - b. If the regulatory authority issues a notice of deficiencies within the administrative completeness review time-frame, the administrative completeness review time-frame and the overall time-frame are suspended from the date that the notice is issued until the date that the regulatory authority receives the missing information from the applicant or license holder.
 - c. If within 180 days the applicant or license holder fails to submit all of the information and documents listed in the notice of deficiencies, the regulatory authority shall consider the application or request for approval withdrawn.
 2. If the regulatory authority issues a license or other approval to the applicant or license holder during the administrative completeness review time-frame, the regulatory authority shall not issue a separate written notice of administrative completeness.
- D. The substantive review time-frame begins on the administrative completeness notice date.
1. The regulatory authority shall mail or send electronically written notification of approval or denial of the application or other request for approval to the applicant or license holder within the substantive review time-frame.
 2. As part of the substantive review for a facility license, the regulatory authority may complete an inspection that may require more than 1 visit to the facility.
 3. During the substantive review time-frame, the regulatory authority may make 1 comprehensive written request for additional information, unless the regulatory authority and the applicant or license holder have agreed in writing to allow the regulatory authority to submit supplemental requests for information.
- E. The regulatory authority shall issue a license or approval unless:
1. The regulatory authority determines that the establishment license application or establishment does not satisfy all of the requirements of this Chapter;

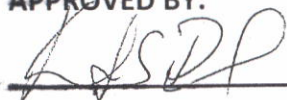
2. For a request for a variance, the regulatory authority determines that the request fails to demonstrate that the variance will not result in a health hazard or nuisance;
 3. For a request for approval of plans and specifications, the regulatory authority determines that the plans and specifications do not satisfy all of the requirements of this Chapter; and
 4. For a request for approval of a quality assurance program, the regulatory authority determines that the quality assurance program does not satisfy all requirements of this Chapter.
 - a. If the regulatory authority disapproves an application or request for approval, the regulatory authority shall send the applicant or license holder a written notice of disapproval setting forth the reasons and all other information required by ARS 41-1076.
- F. For the purpose of computing time-frames, the day of the act, event, or default from which the designated period of time begins, shall not be included. Intermediate Saturdays, Sundays, and legal holidays shall be included in the computation. The last day of the period computed shall be included unless it is a Saturday, Sunday, or legal holiday, in which event, the period runs until the end of the next day that is not a Saturday, Sunday, or legal holiday.

Table 1. Time-frames (in days)

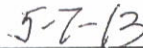
Type of Approval	Statutory Authority	Overall Time-frame	Administrative Completeness Review Time-frame	Substantive Review Time-frame
Body Art Establishment License	ARS 36-136(H)(4)	60	30	30
Approval of Request for Variance	ARS 36-136(H)(4)	90	30	60
Approval of Plans and Specifications	ARS 36-136(H)(4)	90	30	60
Approval of Quality Assurance Program	ARS 36-136(H)(4)	90	30	60

May 7, 2013

APPROVED BY:

A handwritten signature in black ink, appearing to read 'K. Babcock', written over a horizontal line.

Kimbal Babcock,
Interim Chief Health Officer

A handwritten date '5-7-13' in black ink, written over a horizontal line.

Date